

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America)

v.)

EDUARDO DIAZ GUARDADO)

Case No. 3:25-mj-169)

Defendant(s)

**CRIMINAL COMPLAINT
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 18, 2025 in the county of Multnomah in the
District of Oregon, the defendant(s) violated:*Code Section*

18 U.S.C. § 111(a)(1)

Offense Description

Assaulting a Federal Officer.

This criminal complaint is based on these facts:

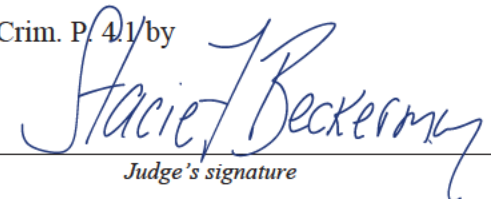
See attached affidavit.

☒ Continued on the attached sheet.

/s/ By Phone

Complainant's signature

[REDACTED], Special Agent, FBI

*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone at 8:55 a.m./p.m.Date: 06/19/2025*Judge's signature*City and state: Portland, Oregon

Hon. Stacie F. Beckerman, U.S. Magistrate Judge

Printed name and title

DISTRICT OF OREGON, ss:

AFFIDAVIT OF [REDACTED]

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, [REDACTED], being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent with the Federal Bureau of Investigation and have been since July 2023. I am currently assigned to the Domestic Violent Incident Crimes Unit. My training and experience include the investigation of a multitude of unlawful activities to include the use of interstate communications in the furtherance of criminal activities, fugitive investigations, crimes against children, and other violent crimes. Before working for the FBI, I spent over four years working in local law enforcement and corrections for a county Sheriff's Office in Montana. My training and experience also includes legal matters related to Fourth Amendment searches, the drafting criminal complaints, and the investigation of violent federal crimes.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for **EDUARDO DIAZ GUARDADO**, d.o.b. June xx, 2002, for assaulting a federal officer, in violation of Title 18, United States Code, Section 111(a)(1). As set forth below, there is probable cause to believe, and I do believe, that **EDUARDO DIAZ GUARDADO** committed the offense of assaulting a federal officer (a Class A Misdemeanor), in violation of Title 18, United States Code, Section 111(a)(1).

3. The facts set forth in this affidavit are based on the following my own personal knowledge; information obtained from other individuals during my participation in this investigation, including other law enforcement officers; interviews of witnesses; my review of records related to this investigation; communication with others who have knowledge of the Affidavit of [REDACTED]

events and circumstances described herein; and, information gained through my training and experience. Because this affidavit is submitted for the limited purpose of establishing probable cause in support of the application for an arrest warrant, it does not set forth each fact that I or others have learned during this investigation.

Applicable Law

4. Title 18, United States Code, Section 111(a)(1) makes it a federal offense to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in Title 18, United States Code, Section 1114 while that person is engaged in or on account of the performance of official duties. The statute incorporates the common-law definition of assault as (1) “a willful attempt to inflict injury upon the person of another,” or (2) “a threat to inflict injury upon the person of another which, when coupled with an apparent present ability, causes a reasonable apprehension of immediate bodily harm.” *United States v. Dat Quoc Do*, 994 F.3d 1096, 1100 (9th Cir. 2021). Persons designated in Section 1114 include any officer or employee of the United States or of any agency in any branch of the United States government while such officer or employee is engaged in or on account of the performance of official duties, and any person assisting such an officer or employee in the performance of official duties. Under Title 18, United States Code, Section 111(a) simple assault is a misdemeanor punishable by up to one year of imprisonment, but where the assaultive acts involve physical contact with the victim, the offense is a felony punishable by imprisonment up to 8 years.

Statement of Probable Cause

5. Since June 4, 2025, protests have occurred at the U.S. Immigration and Customs Enforcement (ICE) field office located at 4310 S Macadam Ave in Portland, Oregon. During daylight hours, some of the attendees at the demonstration have harassed both ICE clients and

Affidavit of [REDACTED]

employees by following them with cameras and making threatening statements, including stating that that they know where the target lives and that they will come find the target of their harassment. After nightfall the attendees generally become more aggressive and some have been damaging personal and government property, assaulting federal agents, trying to force entry into the building, committing acts of arson, attempting to use lasers to blind and harm law enforcement officers, and throwing items at federal law enforcement officers working at the building. The violence toward law enforcement has also included discharging pepper spray at officers as well as throwing rocks, trash, and bricks pulled from the ICE facility's driveway.

6. On June 18, 2025, United States Customs and Border Protection (USCBP) Border Patrol Tactical Unit (BORTAC) and Enforcement and Removal Operations (ERO) officers, as part of their official duties as employees of the United States while they were engaged in or on account of the performance of official duties, were stationed on the rooftop of the Immigration and Customs Enforcement (ICE) building located in Portland, Oregon in an effort to maintain the safety and security of the building from the violent protesters positioned outside the building. That night another violent protest erupted outside the ICE building. While federal law enforcement officers were on the rooftop of the building, during the protests, they observed an individual, later identified as **EDUARDO DIAZ GUARDADO**, directing a green high-powered handheld laser at them, in what appeared to be an effort to forcibly assault, impede, intimidate, or interfere with them in their attempt to carry out their official protection duties. The laser being used by **EDUARDO DIAZ GUARDADO** was observed being projecting upon multiple officer's bodies and faces.

7. I have spoken with Adult Victim 1 (AV1), who is an ICE Officer and an employee of the United States government who was engaged in the performance of his official
Affidavit of [REDACTED]

duties, on June 18, 2025. AV1 was stationed on the rooftop of the ICE facility located in Portland, Oregon, along with additional ERO and Office of Field Operations (OFO) Special Response Team (SRT) officers who were there to maintain the safety and security of the ICE building. AV1 told me that at approximately 9:05 PM, AV1 observed a bright green laser on the side of another officer face (Adult Victim 2's or AV2). AV1 was aware of a prior report of an individual in the crowd shining a laser towards law enforcement and attempted to identify the individual responsible.

8. Shortly thereafter, AV1 observed the same bright green laser strike the left side of his face, which caused AV1 to duck down, "as if shot at." AV1, knowing of the potential retinal damage and blindness that can result from being hit in the eyes with such a high-powdered green laser then backed off of the rooftop and retrieved laser-proof glasses for himself and other officers. AV1 expressed a very real concern to me that he and the other law enforcement officers on the building could suffering potentially serious eye damage from the laser being projected by **EDUARDO DIAZ GUARDADO**. He also reported that **EDUARDO DIAZ GUARDADO's** initial use of the laser interfered with law enforcement officers' ability to do their job.

9. AV1 was able to observe an individual in the crowd near the ICE facility driveway who had been lighting up the federal agents with his high-powered laser and he noticed that the person matched the description of a person in earlier reports who was also shing a laser at officers. U.S. Customs and Border Protection (USCBP) officers coordinated with Portland Police Bureau (PPB), and PPB officers, after a short foot chase, took the person into custody. This individual who was shining the laser at the officers was subsequently identified as **EDUARDO DIAZ GUARDADO**. At the time **EDUARDO DIAZ GUARDADO** was arrested the laser device was not located.

10. It is known that high-power lasers, such as the one used by **EDUARDO DIAZ GUARDADO**, can cause significant and potentially permanent damage to a person's eyes, even from brief exposure.

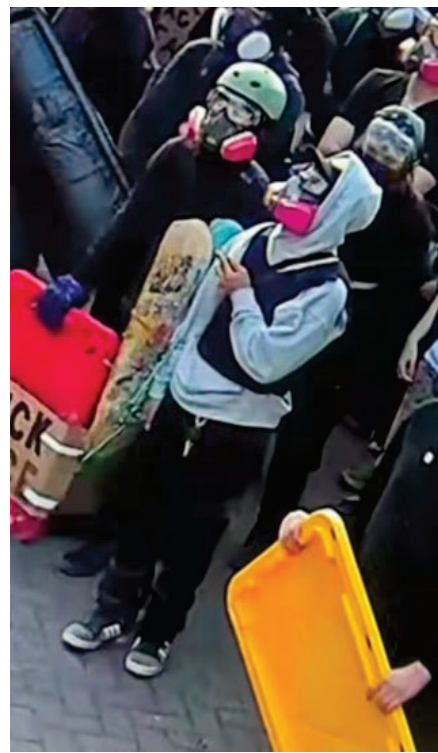
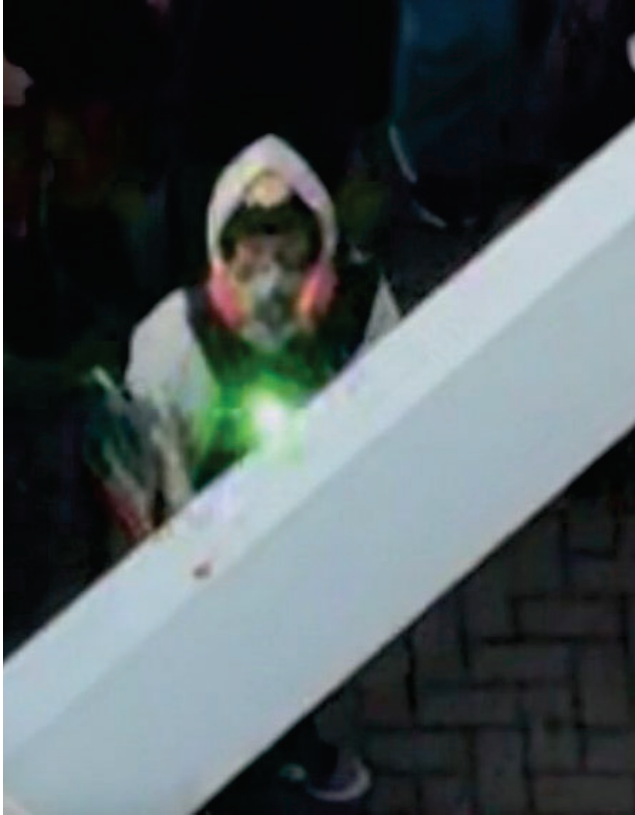
11. I have also talked with AV2, who told me that on the night of June 18, 2025, AV2 was working in official capacity as an ICE Officer and was stationed on the rooftop of the ICE facility located in Portland, Oregon, where he was surveilling the crowd outside of the building and attempting to maintain the peace and security of the ICE building. AV2 was taking video on his phone to share with additional officers to show the size of the crowd.

12. While taking video footage of the crowd, AV2 told me that a green laser struck AV2 in the eyes and on his phone, temporarily blinding him and the device. AV2 did not have any lasting effects from the laser coming into contact with his eyes. After seeing the laser on AV2's face, additional officers pulled AV2 from the rooftop. Due to being temporarily illuminated by the laser AV2 was unable to maintain his security position on the roof of the ICE building. AV2 was able to review the footage from his device and was able to identify the subject shining the laser towards the officers, which was shared with PPB officers. That individual was the one later arrested and identified as **EDUARDO DIAZ GUARDADO**.

13. Two pictures of **EDUARDO DIAZ GUARDADO** shining the laser at federal law enforcement officers, a picture of him holding the laser, as well as a picture showing the laser hitting the phone being used by a law enforcement officer to record the crowd, are below:

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Conclusion

14. Based on the foregoing, I have probable cause to believe, and I do believe, that **EDUARDO DIAZ GUARDADO** committed the federal offense of assaulting a federal officer (a Class A Misdemeanor), in violation of Title 18, United States Code, Section 111(a)(1). I therefore request that the Court issue a criminal complaint and arrest warrant for **EDUARDO DIAZ GUARDADO**.

15. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) [REDACTED], and AUSA [REDACTED] advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

Request for Sealing

16. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may may result in the endangerment of the physical safety of an individual, cause destruction of or

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tampering with evidence, cause intimidation of potential witnesses, or otherwise seriously jeopardize an investigation. Premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

By phone pursuant to Fed. R. Crim. P. 4.1

[REDACTED]
SPECIAL AGENT, FBI – PORTLAND

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at

8:55 a.m./p.m. on June 19, 2025.



HONORABLE STACIE F. BECKERMAN
United States Magistrate Judge